

FISCAL NOTE

HB 2847 - SB 3033

February 4, 2008

SUMMARY OF BILL: Creates a Class E felony for a registered sexual offender to be on school property when minors are present, unless such offender is a parent or guardian of a student.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$199,500/Incarceration*

Assumptions:

- The Tennessee Bureau of Investigation's website reflects 10,277 individuals are on the sexual offender registry. The Department of Correction (DOC) estimates that 0.25 percent (26) of the registered offenders will be convicted of a Class E felony for being on school property when minors are present.
- According to the U.S. Census Bureau, population growth in Tennessee has averaged 1.09 percent per year for the past ten years. Population growth will result in three additional offenders in the tenth year as a result of this bill. The maximum cost in the tenth year, as required by Tenn. Code Ann. § 9-4-210, is based on 29 offenders.
- According to DOC, the average operating cost per inmate per year for calendar year 2008 is \$62.78. The cost per inmate at 0.3 years is \$6,879.43 (\$62.78 x 109.58 days). The total additional cost for 29 offenders is \$199,503.47 (\$6,879.43 x 29).
- The Board of Probation and Parole (BOPP) would need to change the special conditions form and manual for registered sex offenders under their supervision to include this prohibition. Such documents are electronic, therefore expenses would be minimal and BOPP would not require additional resources.

**Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large initial "J" and a distinct "W".

James W. White, Executive Director

/lsc